

Message Text

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C O N F I D E N T I A L STATE 142618

E.O. 11652: GDS

TAGS: SHUM, ML

SUBJECT: HUMAN RIGHTS: MALI ACTION PLAN

REF: STATE 139160

1. THE GEOGRAPHIC BUREAUS HAVE BEEN TASKED TO PREPARE HUMAN RIGHTS EVALUATION REPORTS INCLUDING AN ASSESSMENT OF THE CURRENT CONDITION OF HUMAN RIGHTS IN EACH COUNTRY AND THE PROPOSED OBJECTIVES AND RECOMMENDATIONS FOR IMPROVING THOSE CONDITIONS.

2. THIS CABLE TRANSMITS THE DESK'S DRAFT REPORT FOR YOUR COMMENTS. YOUR RESPONSE IS REQUESTED BY JUNE 28 SO THAT THE BUREAU CAN MEET THE SUBMISSION DATE OF JULY 1. SLUG FOR AF DISTRIBUTION ONLY.

3. THE INFORMATION CONTAINED IN THE COUNTRY EVALUATION WILL BE CLASSIFIED IN ACCORDANCE WITH EXECUTIVE ORDER 11652. REPORTS WILL BE USED AS SOURCE MATERIAL FOR THE CONFIDENTIAL

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PREPARATION OF ANNUAL HUMAN RIGHTS REPORTS ON ALL COUNTRIES WHICH ARE RECIPIENTS OF US SECURITY ASSISTANCE, AND WILL BE SUBMITTED TO THE DEPARTMENT'S HUMAN RIGHTS COORDINATING COMMITTEE, CHAIRED BY THE DEPUTY SECRETARY.

4. ;. CONDITION OF HUMAN RIGHTS IN MALI.

(1) RESPECT FOR THE INTEGRITY OF THE PERSON.
11) RESPECT FOR THE INTEGRITY OF THE PERSON.
HILE MALIAN LAW AND ITS DEPENDENT LEGAL AND JUDICIAL

SYSTEM GUARANTEE THE INTEGRITY OF THE PERSON, THE MALIAN STILL FINDS THAT HIS PERSONAL RIGHTS ARE BEST PROTECTED IN THE TRADITIONAL SOCIETAL STRUCTURE, IN WHICH FAMILY AND VILLAGE RELATIONSHIP ESTABLISH SECURITY OF THE PERSON IN A SURPRISINGLY EFFECTIVE MANNER. THERE ARE NO REPORTS OF TORTURE, CRUEL, INHUMAN, OR DEGRADING PUNISHMENT IN MALI. ALTHOUGH ARBITRARY ARREST OR IMPRISONMENT ARE RARE, THEY OCCUR ON OCCASION IN CONNECTION WITH "POLITICAL OFFENSES." PROLONGED DETENTION WITHOUT CHARGES DOES NOT OCCUR. INVASION OF THE HOME IS GENERALLY NOT PRACTICED.

(2) RESPECT FOR CIVIL AND POLITICAL LIBERTIES.

THE MALIAN CONSTITUTION -- WHICH WILL NOT ENTER FULLY INTO FORCE UNTIL BOTH A PRESIDENT AND NATIONAL ASSEMBLY ARE ELECTED BY UNIVERSAL SUFFRAGE AND A CIVILIAN GOVERNMENT INSTALLED BY JUNE, 1979 -- GUARANTEES FREEDOM OF RELIGION, FREEDOM OF ENTERPRISE, THE RIGHT TO PROPERTY, UNIVERSAL SUFFRAGE, FREEDOM FROM ARBITRARY ARREST, INVIOABILITY OF THE HOME, AND THE RIGHT TO ORGANIZE IN DEFENSE OF PROFESSIONAL INTERESTS. ALL PERSONS WILL BE EQUAL UNDER THE LAW, WITH THE EXCEPTION OF ADHERENTS

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OF THE PRE-1968 REGIME, WHO WILL BE PROHIBITED ALL POLITICAL ACTIVITY.

IN PRIVATE, MALIANS FREELY CRITICIZE THEIR GOVERNMENT AND THEIR SOCIETY. THE GOVERNMENT CONTROLS ALL MEDIA, HOWEVER, AND WOULD NOT BROOK ANY PUBLIC ATTACK ON ITS AUTHORITY. FIFTEEN PERSONS WERE ARRESTED FOR DISTRIBUTING A PAMPHLET OPPOSING THE JUNE 2, 1974, CONSTITUTIONAL REFERENDUM. MOST RECEIVED FOUR YEAR SENTENCES. MALIANS ARE FREE TO ASSEMBLE FOR SOCIAL, RELIGIOUS, OR PROFESSIONAL PURPOSES. MISSIONARIES REPORT MORE RELIGIOUS FREEDOM THAN AT ANY OTHER TIME IN MALIAN HISTORY. ORGANIZED POLITICAL ACTIVITY IS STILL PROHIBITED UNTIL THE NEW CONSTITUTION COMES INTO FORCE.

FREEDOM OF MOVEMENT WITHIN MALI IS GENERALLY UNRESTRICTED, ALTHOUGH INTER-CITY TRAVELERS ARE SUBJECT TO FREQUENT POLICE CHECKS, WHICH ARE ALLOWED BY THE LAW. THE PRESENT MILITARY GOVERNMENT WON ITS POPULARITY IN PART BY REMOVING MOST BARRIERS TO TRAVEL COMMON UNDER THE PREVIOUS KEITA REGIME. THERE ARE NO BARRIERS TO EMIGRATION.

(3) RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION.

MALI'S PRESENT GOVERNMENTAL POLICIES ARE FOCUSED ON RESPONDING TO THE NEEDS OF THE POOR -- MALI RANKS AMONG THE THREE OR FOUR POOREST NATIONS OF THE WORLD ACCORDING TO UN ESTIMATES. ECONOMIC DEVELOPMENT PROGRAMS ARE AIMED AT IMPROVING THE LIVELIHOOD OF THE COUNTRY'S OVERWHELMINGLY RURAL AGRICULTURAL AND NOMADIC POPULATION.

CORRUPTION ON A SIGNIFICANT SCALE DOES NOT APPEAR, BUT MEMBERS OF MALI'S ACTIVE COMMERCIAL CLASS HAVE BEEN CONFIDENTIAL

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ARRESTED FOR FAILURE TO PAY TAXES.

(4) LEVEL OF THE GOVERNMENT'S RESPONSIBILITY FOR THE FOREGOING HUMAN RIGHTS RECORD.

THE MALIAN GOVERNMENT'S ATTITUDE TOWARD HUMAN RIGHTS AS DEFINED BY THE UNIVERSAL DECLARATION OF HUMAN RIGHTS IS AMBIVALENT. ON THE ONE HAND THE CONSTITUTION CONFIRMS THESE RIGHTS. ON THE OTHER HAND, THE LAW GIVES THE GOVERNMENT AUTHORITY TO OVERRIDE THESE RIGHTS IN THE NATIONAL INTEREST. THE MILITARY GOVERNMENT HAS RATHER BROADLY EXERCISED ITS PREROGATIVES. SECURITY OF THE STATE HAS ON OCCASION BEEN USED TO JUSTIFY VIOLATIONS OF POLITICAL RIGHTS.

MALI APPEARS TO BE GENUINELY PREPARED TO MOVE TOWARD GREATER RESPECT FOR HUMAN RIGHTS, BUT ONLY SLOWLY AND IN ACCORD WITH THE MILITARY GOVERNMENT'S PACE. NATIONAL RECONCILIATION IS ONE OF THE FIRM TENETS OF THE MILITARY GOVERNMENT'S PROGRAM, AND SOME PROGRESS HAS BEEN MADE.

(5) WILLINGNESS AND PAST RECORD OF THE GOVERNMENT REGARDING INDEPENDENT, OUTSIDE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS.

THERE HAVE BEEN NO INDEPENDENT, OUTSIDE INVESTIGATIONS OF ALLEGED HUMAN RIGHTS VIOLATIONS IN MALI.

AMNESTY INTERNATIONAL HAS MADE NO RECENT PUBLIC STATEMENTS REGARDING HUMAN RIGHTS IN MALI, BUT SINCE 1968 AI HAS URGED THE RELEASE OF POLITICAL PRISONERS AND IN 1974 ORGANIZED A CAMPAIGN TO PUBLICIZE THE PRISONERS' PLIGHT.

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IN 1975, PROCLAIMED THE "YEAR OF RECONCILIATION" BY PRESIDENT TRAORE, MANY -- BUT NOT ALL -- POLITICAL PRISONERS WERE RELEASED.

5.B.ANALYSIS AND RECOMMENDATIONS.

(1) LEGITIMATE OBJECTIVES OVER THE NEXT THREE, SIX, TWELVE MONTHS IN RELATION TO IMPROVING CONDITIONS IN MALI, WITH RESPECT TO CATEGORIES A(1), (2), AND (3) ABOVE. IN TERMS OF (A) IMPORTANCE, (B) FEASIBILITY, (C) U.S. LEVERAGE, (D) LIKELY INTERNATIONAL SUPPORT AND (E) OPTIONS AND RECOMMENDED ACTIONS.)

OUR OBJECTIVES OVER THE NEAR AND MID-TERM SHOULD BE TO:

1) ENCOURAGE MALI'S PRESENT TREND TOWARD NATIONAL RE-CONCILIATION BY ACTION SUCH AS FREEING ALL REMAINING POLITICAL PRISONERS; 2) CONTINUE TO ASSIST IN PROMOTING MALI'S ECONOMIC DEVELOPMENT IN SUCH A MANNER THAT THE LIVELIHOOD OF THE POOREST ELEMENTS OF THE POPULATIONS WILL BE IMPROVED; AND 3) ENCOURAGE ENTRY INTO FULL FORCE OF THE 1974 CONSTITUTION'S GUARANTEES ON, OR EVEN BEFORE, THE PRESCRIBED JUNE 1979 DATE NOW ESTABLISHED FOR RETURN TO CIVILIAN GOVERNMENT; AND 4) BY THE MOST DISCREET AND INDIRECT WAYS, ENCOURAGE DEVELOPMENT OF THE POLITICAL PARTY NOW BEING FORMED.

THESE ARE IMPORTANT STEPS WHICH WOULD SIGNIFICANTLY IMPROVE MALI'S HUMAN RIGHTS PERFORMANCE. OUR LEVERAGE, HOWEVER, IS MODEST -- PRIMARILY OUR BILATERAL AND SAHEL DEVELOPMENT PROGRAM ECONOMIC ASSISTANCE. MALI IS NOT A HARSH REGIME, IN SPITE OF ITS HUMAN RIGHTS FAILINGS, AND DOES HAVE A LEGITIMATE FEAR OF SUBVERSIVE ACTIVITY AGAINST THE STATE. INTERNATIONAL SUPPORT FOR THE USE OF OUR SOLE LEVERAGE -- REDUCING OR ELIMINATING OUR ECONOMIC DEVELOPMENT ASSISTANCE -- WOULD BE NON-EXISTANT.

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QUIET DIPLOMACY WOULD BE OUR BEST COURSE OF ACTION. WE SHOULD CONTINUE TO STRESS FIRMLY AT THE HIGHEST LEVELS THE USG INTEREST IN HUMAN RIGHTS AND OUR BELIEF THAT MALI SHOULD TAKE PROMPT MEASURES TO IMPROVE ITS PERFORMANCE AND RECORD.

MALI IS ELIGIBLE FOR FMS PROGRAMS, BUT THERE IS NO BILATERAL PROGRAM AT PRESENT. THE MALIANS ARE INTERESTED IN THE RESUMPTION OF ENGLISH LANGUAGE TRAINING UNDER THE IMET PROGRAM, AND ANY SUCH FUTURE REQUEST SHOULD BE ACCORDED ONLY AFTER SOME EVIDENCE OF HUMAN RIGHTS IMPROVEMENT.

ACTION TO PRESSURE MALI THROUGH ECONOMIC RESTRICTIONS, WHETHER BILATERAL AID OR RELATED TO IFI LOANS OR EXIM BANK CREDITS, WOULD BRING MORE HARM TO MALI'S POOR -- THE OVERWHELMING MAJORITY OF THE POPULATION -- THAN ANY HUMAN RIGHTS IMPROVEMENT THAT COULD BE EXPECTED MIGHT

IMPROVE THEIR LOT.

(2) PRINCIPAL REACTIONS IN MALI TO THE NEW US HUMAN RIGHTS PROGRAM AND EMBASSY ACTIONS AND PROPOSED ACTIONS IN SUPPORT OF THESE POLICIES. (TO BE COMPLETED BY EMBASSY)

(3) EVALUATE REACTIONS IN 2 ABOVE IN TERMS OF THE IMPLICATIONS FOR POSITIVE AND NEGATIVE CHANGES IN THE HUMAN RIGHTS CONDITIONS. (TO BE COMPLETED BY POST)

(4) (A) WHERE A HUMAN RIGHTS RECORD JUSTIFIES U.S. ACTIONS, EVALUATE THE IMPACT OF THOSE ACTIONS OR OTHER U.S. INTEREST IN THE COUNTRY.

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U.S. INTERESTS IN MALI ARE MINIMAL, AND ESSENTIALLY HUMANITARIAN. WE HAVE NO SECURITY RELATIONSHIP, AND LITTLE ECONOMIC OR COMMERCIAL EXCHANGE.

MALI HAS INDICATED ITS INTEREST IN IMPROVING RELATIONS WITH THE U.S. IN RECENT MONTHS, AND USG ACTION TO FORCE ACCEPTANCE OF HUMAN RIGHTS POLICIES -- IF RESISTED BY MALI -- WOULD LESSEN OUR ALREADY LIMITED ABILITY TO DRAW ON MALI'S SUPPORT FOR U.S. INTERESTS IN THE REGION. WE WOULD HAVE AN ANGRY, VOCAL OPPONENT.

MALI IS A COUNTRY UNDERGOING GREAT CHANGE, BOTH POLITICALLY AND ECONOMICALLY. THE BASIC THRUST IS TO BRING ABOUT A BETTER LIFE FOR THE PEOPLE AND TO PREVENT THE RECURRENCE OF THE 1968-73 SAHEL DROUGHT RAVAGES. THE PROMISE OF DEMOCRATIC GOVERNMENT BY JUNE 1979 IS ENCOURAGING. DISCOURAGING IS THE LACK OF INDEPENDENT NON-GOVERNMENTAL SOURCES OF POLITICAL INFLUENCE IN MALI, AND A NOT YET FULLY OPERATIVE CONSTITUTION.

MALI, AS A YOUNG COUNTRY, IS SENSITIVE TO OVERT OUTSIDE PRESSURE AND WOULD PERCEIVE PUBLIC DECLARATIONS ON ITS HUMAN RIGHTS SITUATION AS MEDDLING IN ITS INTERNAL AFFAIRS.

(B) WHERE THE HUMAN RIGHTS RECORD IS GOOD, INDICATE THE LIKELIHOOD OF MALI'S SUPPORT FOR U.S. EFFORTS TO PROMOTE HUMAN RIGHTS THROUGH GOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS.

NOT APPLICABLE.

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